

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

LYDIA BYRD	§	PLAINTIFF
	§	
v.	§	CAUSE NO. 1:09CV483 LG-RHW
	§	
STONE COUNTY, MISSISSIPPI, ET AL.	§	DEFENDANTS

**ORDER ADOPTING PROPOSED FINDINGS OF FACT AND RECOMMENDATIONS
AND DISMISSING CASE FOR FAILURE TO PROSECUTE**

This cause comes before the Court on the Proposed Findings of Fact and Recommendations [14] of United States Magistrate Judge Robert H. Walker entered in this cause on May 19, 2010. Judge Walker reviewed the procedural history of this case, beginning with former attorney LaQuetta Golden's termination from representation of the Plaintiff following the revocation of her license to practice law. The Plaintiff did not respond to repeated orders of the Court requiring her to secure new counsel or for Ms. Byrd to provide written notice that she intends to represent herself. Judge Walker concluded that Plaintiff's failure to comply with the orders to secure new counsel, after being warned that failure to respond might result in dismissal of this lawsuit, warrants dismissal of this action for failure to prosecute under Fed. R. Civ. P. 41(b).

No party has filed an objection to the findings or recommendations of the Magistrate Judge. Therefore, the Court need only review the Proposed Findings of Fact and Recommendations and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). After having reviewed the Proposed Findings of Fact and Recommendations and the record in this case, the Court finds the Magistrate Judge's conclusions neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Proposed Findings of Fact and Recommendation [14] of United States Magistrate Judge Robert H. Walker entered in this cause on May 19, 2010, should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's claims are **DISMISSED** without prejudice pursuant to FED. R. CIV. P. 41(b) for failure to prosecute.

SO ORDERED AND ADJUDGED this the 17th day of June 2010.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge